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PATENT

#9

NO: 17171CIP4DIV(HL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klein et al.)
Serial No.: 09/685,828)
Conf. No.: 4591)
Filed: October 10, 2000)
For: METHODS OF IDENTIFYING)
COMPOUNDS HAVING)
NUCLEAR RECEPTOR NEGATIVE)
HORMONE AND/OR ANTAGONIST)
ACTIVITIES)
Examiner: Myron G. Hill)

Group Art Unit: 1648

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail and addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

Date of Deposit: 10/11/2002

Person making Deposit: Bonnie Ferguson

Signature: Bonnie Ferguson

Date of Signature: 10/11/2002

REQUEST TO AMEND INVENTORSHIP

1460
Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir,

This Request is being filed as a result of the Restriction Requirement mailed March 26, 2002, in light of the Reply thereto mailed by Applicants on April 8, 2002.

In response to the Restriction Requirement Applicants elected to prosecute Examiner's Group I (claims 21-41); such election was communicated in the April 8th Reply. At such time Applicants' representative inadvertently failed to make the amendment of the inventorship required as a result of the cancellation of claims 42 and 44. Applicants ask that this amendment be entered as a result of this communication, which is being promptly filed following Applicants' discovery of the failure to do so previously.

Applicants therefore hereby request that the inventorship of the above-indicated patent application be corrected pursuant to 37 CFR §1.48(b) to name only those of the originally named inventors responsible for invention of the subject matter of the presently pending claims.

As originally filed the patent application correctly named the following inventors: Elliott S. Klein, Alan T. Johnson, Andrew M. Standeven, Richard L. Beard, Samuel J. Gillett, Tien T. Duong, Sunil Nagpal, Vidyasagar Vuligonda, Min Teng, and Roshantha A. Chandraratna. However, following a

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subsequent Restriction Requirement, Applicants elected to prosecute the subject matter of claims 21-41, drawn to methods of identifying retinoid negative hormones. The remaining claims (42 and 43) were canceled without prejudice in an amendment filed April 8, 2002.

Although Alan T. Johnson was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Alan T. Johnson did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Alan T. Johnson** therefrom.

Although Andrew M. Standeven was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Andrew M. Standeven did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Andrew M. Standeven** therefrom.

Although Richard L. Beard was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Richard L. Beard did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Richard L. Beard** therefrom.

Although Samuel J. Gillett was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Samuel J. Gillett did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Samuel J. Gillett** therefrom.

Although Tien T. Duong was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Tien T. Duong did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Tien T. Duong** therefrom.

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Although Vidyasagar Vuligonda was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Vidyasagar Vuligonda did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Vidyasagar Vuligonda** therefrom.

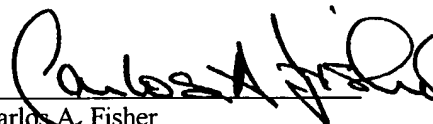
Although Min Teng was an inventor of the subject matter encompassed by at least one claim contained in the application as originally filed, Min Teng did not invent, either jointly or alone, the invention encompassed in the elected claims 21-41. Therefore, kindly correct the inventorship of the above-entitled patent application by removing the name **Min Teng** therefrom.

The correct inventors in the above-identified patent application, following the cancellation of claims to the non-elected group are therefore: Elliot S. Klein, Sunil Nagpal, and Roshantha A. Chandraratna.

The Commissioner is authorized to debit our Deposit Account 01-0885 in the amount of the fee due under 37 CFR 1.17(i); no other fee is thought necessary in connection with this communication. However, if Applicants are in error, please use Deposit Account 01-0885 to cover any necessary deficit.

Respectfully submitted,

Dated: 10/10/02

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